

THE LAW OFFICES OF JOHN F. BAUGHMAN, PLLC
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November 4, 2020

By ECF

The Honorable Jesse M. Furman
United States District Judge
United States District Court
Southern District of New York
40 Centre Street – Room 2202
New York, NY 10007
Address Line X

In re Citibank, August 11, 2020 Wire Transfers,
1:20-cv-06539 (JMF)

Dear Judge Furman:

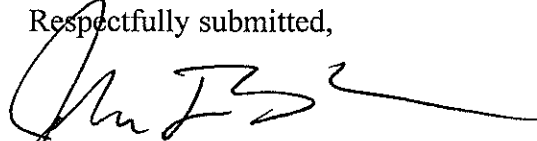
I write with the consent of all parties. The parties are diligently preparing for trial on December 9 and have a few procedural questions. If Your Honor could schedule a brief conference to discuss, or provide written guidance on, the items below it would be helpful to all parties.

- (1) The ongoing pandemic and New York's testing and quarantine requirements for out of state visitors present challenges and concerns for everyone involved. A significant majority of the expected witnesses (as well as some counsel) are out of state and would be subject to restrictions on visiting New York. Accordingly, we respectfully request guidance from Your Honor on whether you expect to require counsel or witnesses to appear "live" at trial. Plaintiffs will defer to Your Honor's preference on the matter. Defendants too will of course defer to the Court's preference, but respectfully request—given the above concerns—that the proceedings be conducted remotely.
- (2) Assuming that some or all of the proceedings will be conducted remotely, we understand that the Southern District of New York requires secure communication procedures be used. We have researched procedures used in other recent cases (including the recent trial in *Syntel Sterling Best Shores Mauritius Ltd.* conducted by Judge Schofield) and we expect to retain a consultant to manage the technology. It would help this process if the Court could advise of any specific requirements it has regarding the arrangements. We anticipate submitting a series of proposed orders to permit the parties to set up the required technology, but we want to make sure to account for Your Honor's individual practices and needs. We will also plan to reach out to the SDNY's Judicial Services and Courtroom Technology departments.

- (3) Regardless of how the trial is conducted, does Your Honor expect opening statements from counsel? If so, of what duration?

The parties are available at the Court's convenience to discuss these issues.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John F. Baughman', with a long horizontal flourish extending to the right.

John F. Baughman
Counsel for Plaintiff Citibank, N.A.

cc: All Counsel (via ECF)